

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY 21ST MAY 2024, AT 6.00 P.M.

PRESENT: Councillors A. Bailes, J. Elledge, E. M. S. Gray, C. A. Hotham, R. J. Hunter, H. J. Jones, M. Marshall, S. T. Nock, J. Robinson and J. D. Stanley

Officers: Mr. D. M. Birch, Mr. A. Hussain, Mr. S. Agimal, Worcestershire County Council, Highways, Miss. R. Paget and Mr G. Day

1/24 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor H. J. Jones be elected as Chairman of the Committee for the ensuing municipal year.

2/24 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor M. Marshall be elected as Vice-Chairman of the Committee for the ensuing municipal year.

3/24 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors B. McEldowney, S. M. Evans, D. J. A. Forsythe and D. G. Stewart; with Councillors C. Hotham, R. J. Hunter, D. J. Nock and J. Elledge in attendance as substitutes respectively.

4/24 **DECLARATIONS OF INTEREST**

Councillor M. Marshall declared that he would be addressing the Committee as Ward Councillor in relation to Agenda Item No.7 – 23/01400/FUL - Land Rear Of 17-19 Willow Gardens and Agenda Item No.8 - 23/01401/FUL - Land Rear Of 8 - 14 (Evens) Willow Gardens. Councillor C. Marshall retired from to the public gallery during the Officers presentations and left the meeting room prior to the consideration of this item after making his representations during the public speaking.

5/24

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 8TH APRIL AND 29TH APRIL 2024 (TO FOLLOW)

The minutes of the Planning Committees meeting held on 8th April and 29th April 2024 were received.

RESOLVED that the minutes of the Planning Committee meetings held on 8th April 2024 and 29th April 2024, be approved as a correct record.

6/24

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)

The Chairman announced that there were no update reports for any of the applications and proceeded to the first item.

7/24

23/01400/FUL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF NEW BUILD DWELLING INCLUDING ASSOCIATED ACCESS AND LANDSCAPING. LAND REAR OF 17-19 WILLOW GARDENS, WILLOW GARDENS, BROMSGROVE. BDHT

At this stage in the meeting Councillor M. Marchall withdrew to the Public Gallery, having declared an interest and his intention to speak as Ward Councillor for this application.

Officers detailed that agenda items 7 (minute No 7/24) and agenda item 8 (minute No 8/24) were deferred from a previous meeting of the Planning Committee held on 8th April 2024 to allow Worcestershire County Council (WCC) Highways to be in attendance.

The Application had been brought to the Planning Committee for consideration at the request of Councillor M. Marshall, Ward Councillor.

Officers further detailed that due to the similarity between agenda items 7 and 8 it had been requested that the presentations and debate take place at the same time, however, it was further clarified that as they were separate applications votes would be taken separately.

Officers presented the report and in doing so highlighted that the applications were both for the demolition of existing garages and the erection of new build dwellings in their place including associated access and landscaping. Officers presented the presentation slides, as detailed on pages 41 to 51 of the main agenda pack.

The sites were located in residential and sustainable locations and the principle of development was deemed acceptable.

The sites had existing vehicular access with good visibility in both directions. Willow Gardens had footways and street lighting on both sides of the road and no parking restrictions were in force in the vicinity.

The sites were located within walking distance of amenities, bus route and bus stops.

It was noted there would be a loss of garages, however it was clarified to Members that there was no right to park for residents and the garages could be closed at any time by an operational decision taken by the landowner.

Officers drew Members' attention to the proposed design and floor plans for the developments, highlighting that all of the garages would be demolished with the exception of a single garage retained under private ownership as part of application 23/01401/FUL.

The Chairman made the decision that due to the similarity between the two applications that the public speaking would be heard concurrently.

At the invitation of the Chairman, Mr D. Shipley and Mr W. Bowen, Local Residents, Mr. K. Lawrence, the Applicant's Representative and Councillor M. Marshall, Ward Councillor addressed the Committee with regards to the two applications.

The Committee then debated both applications, with Officers highlighting that decisions and votes would be taken for each application separately.

At the invitation of the Chairman and following direct questions from Members, WCC, Highways Officer addressed the Committee. It was stated that several physical site visits were undertaken at different times of the day to ascertain the availability of parking and occupancy of the garage units. During the most recent visit undertaken on 20.05.24, it was found that 12 of the 30 garages were occupied, and there were 28 free on-street parking spaces in the local vicinity.

The WCC, Highways Officer further stated the following:

- The visibility was deemed acceptable due to the less intensive use of the site.
- That the national standards dictated that when considering alternative parking, it must be within 300m of the location.
- There would be an estimated 22 less trips generated from the change of use of the sites.

The WCC Highways Officer concluded that with sufficient parking within the area to accommodate any displacement of vehicles from the garages, the net impact in highways terms would be 22 less trips generated, therefore, no objections were raised by WCC, Highways.

The following was also clarified following questions from Members:

- That although the WCC Street Scape Design Guide was only a guide, it was referenced in the national standards and therefore formed part of the development plan.

- That 12 garages were occupied (9 for application 23/01400/FUL and 3 for 23/0104/FUL). It was further noted that not all of these would be used for vehicles some were used as storage.
- That the site access was between 3.2 and 3.3m in width, which was deemed acceptable by WCC, Highways.

Members expressed some concern with the width of the access in particular with regards to the fire services access as they were not consulted as part of the application. Officers explained that they were not a statutory consultee, to which Members disagreed in that they believed they should be consulted with on any application where the proposed highway was under 3.7m. It was further detailed that the current width of the access was 3.3m and was poorly lit and without a footpath, therefore, should these issues be rectified it would make the access much smaller and less than the 3.2m width required by the Worcestershire County Council Streetscape Design Guide.

Members expressed further concerns with the lack of an extensive parking impact assessment for the surrounding area giving a consistent analysis of the available parking within the locality.

Councillor R. J. Hunter proposed an alternative recommendation to defer the application to allow Officers to address the concerns raised around fire safety and parking. The alternative recommendation was seconded by Councillor C. A. Hotham

Members stated that the application had already being deferred at the meeting held on 8th April 2024, the applicant could therefore apply for non-determination and costs could be awarded against the Council if no decision was made.

On being put to a vote the Alternative Recommendation was rejected.

Members expressed the opinion that additional information was unnecessary by Officers and a deferral would give the applicant grounds for non-determination. Members further stated that the access was neither safe nor suitable and contravened various policies including: -

- NPPF paragraphs 114b) and 116b) and BDP1 and BDP16.1 for safe access for all users
- NPPF paragraph 115 and BDP1 and BDP16 as the developments would have an unacceptable impact on highway safety and the wider highway network.

Members also stated that there was concern about parking which would be impacted by the development and not adequately addressed.

Councillor A. Bailes proposed an Alternative Recommendation to refuse the application as the associated access would be unsafe. The Alternative Recommendation was seconded by Councillor J. Elledge.

On being put to a vote it was.

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be refused subject to the reasons as detailed in the preamble above.

8/24

23/01401/FUL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF NEW BUILD DWELLING INCLUDING ASSOCIATED ACCESS, LANDSCAPING & GARAGE. LAND REAR OF 8 - 14 (EVENS) WILLOW GARDENS, BROMSGROVE. BDHT

Subject to the preamble above and with the same concerns being expressed with regards to the safety of the access.

Councillor A. Bailes proposed an Alternative Recommendation to refuse the application as the proposed access would be unsafe. The Alternative Recommendation was seconded by Councillor J. Elledge.

On being put to a vote it was.

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be refused subject to the reasons as detailed in the preamble above.

9/24

24/00191/FUL - DETACHED GARAGE AND DROPPED KERB. 60 EAST ROAD, BROMSGROVE, WORCESTERSHIRE, B60 2NS. MR. T. NICHOLLS

The Application had been brought to the Planning Committee as the applicant was a council employee.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 57 to 62 of the main agenda pack.

The application was for 60 East Road, Bromsgrove and sought planning permission for a detached garage and associated works including a dropped kerb.

Officers drew Members' attention to the location and proposed site plans including the changes to the wall and kerb.

Members expressed the opinion that the application would normally be considered under delegated powers and saw no reason to refuse the application.

On being put to a vote it was:

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be granted subject to the conditions as outlined on page 55 of the main agenda pack.

10/24

TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES AND DEMOCRATIC SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

There were no urgent matters of business.

The meeting closed at 7.16 p.m.

Chairman